

BEFORE THE DIVISION OF MEDICAL QUALITY  
BOARD OF MEDICAL QUALITY ASSURANCE  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

In the Matter of the  
Accusation Against:

Charu M. Rana, M.D.  
Certificate # C038823

Respondent.

No. D-3499

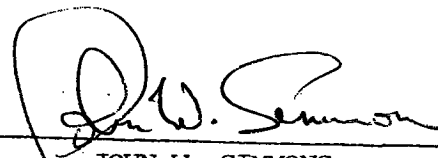
DECISION

The attached Stipulation is hereby adopted by the  
Division of Medical Quality of the Board of Medical Quality  
Assurance as its Decision in the above-entitled matter.

This Decision shall become effective on \_\_\_\_\_  
April 17, 1987

IT IS SO ORDERED \_\_\_\_\_ March 18, 1987

DIVISION OF MEDICAL QUALITY  
BOARD OF MEDICAL QUALITY ASSURANCE

  
\_\_\_\_\_  
JOHN W. SIMMONS  
Secretary-Treasurer

1 JOHN K. VAN DE KAMP, Attorney General  
of the State of California

2 GAIL M. HEPPELL,  
Deputy Attorney General

3 3580 Wilshire Boulevard  
Los Angeles, California 90010

4 Telephone: (213) 736-2012

5 Attorneys for Complainant

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7  
8 BEFORE THE  
9 BOARD OF MEDICAL QUALITY ASSURANCE  
10 DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA

11 In the Matter of the Accusation ) D-3499  
12 Against: )  
13 CHARU MATI RANA, M.D. ) STIPULATION, DECISION,  
14 166 N. Moorpark Road ) AND ORDER  
15 Thousand Oaks, CA 91360 )  
16 Physician's and Surgeon's )  
Certificate No. C-038823, )  
Respondent. )

17 IT IS HEREBY STIPULATED by and between the parties to  
18 the above entitled matter that the following is true:

19 1. Respondent Charu Mati Rana, M.D. (hereinafter  
20 "respondent") was heretofore issued physician's and surgeon's  
21 certificate number C-038823 under the laws of the State of  
22 California, and at all times herein mentioned, said certificate  
23 was, and now is, in full force and effect.

24 2. On or about May 16, 1986 an accusation  
25 bearing number D-3499 was filed by Kenneth J. Wagstafff,  
26 Executive Director of the Board of Medical Quality Assurance of  
27 the State of California, in his official capacity as such. Said

1 accusation listed causes for disciplinary action against  
2 respondent, and said accusation is incorporated herein by  
3 reference as though fully set forth at this point. Said  
4 respondent was duly and properly served with accusation number  
5 D-3499 by certified mail and said respondent filed a timely  
6 notice of defense requesting a hearing on the charges contained  
7 in the accusation.

8           3. Respondent has retained as her counsel Gregory  
9 Nelson, Esq. Respondent has fully discussed with her counsel the  
10 charges and allegations of violations of the California Business  
11 and Professions Code (hereinafter the "code") alleged in  
12 accusation number D-3499 and has been fully advised of her rights  
13 under the Administrative Procedure Act of the State of  
14 California, including her rights to a formal hearing and  
15 opportunity to defend against the charges contained therein, and  
16 reconsideration and appeal of any adverse decision that might be  
17 rendered following a hearing. Said respondent knowingly and  
18 intelligently waives her rights to a hearing, reconsideration,  
19 appeal, and to any and all other rights which may be accorded  
20 her pursuant to the Administrative Procedure Act or otherwise.

21           4. A. On or about April 4, 1984, respondent  
22 submitted a claim to the Hawaii Medical Service  
23 Association, (a private medical insurance carrier which  
24 is the fiscal intermediary for the Hawaii Medical  
25 Program) for payment of \$695. The basis of such claim  
26 was that respondent had rendered treatment to an insured

27 /

1 patient (Chen G.) while he was visiting California on  
2 five (5) occasions between December 23, 1983, and  
3 January 10, 1984.

4 B. Respondent treated said patient in Hawaii, not  
5 California. At the time respondent rendered treatment,  
6 she was not licensed to practice medicine in the State  
7 of Hawaii.

8 5. Pursuant to the facts admitted in paragraph 4,  
9 subparagraphs A through B, inclusive, respondent admits and  
10 stipulates that her physician's and surgeon's certificate is  
11 subject to disciplinary action pursuant to sections 2220 and 2234  
12 of the Business and Professions code in that she violated section  
13 2234, subdivisions (a) and (e) and section 810 of the code in  
14 that she committed acts of unprofessional conduct.

15 6. In the event that this stipulation is not accepted  
16 by the Division of Medical Quality of the Board of Medical Quality  
17 Assurance of the State of California it shall be of no force or  
18 effect whatsoever.

19 WHEREFORE, it is stipulated that the Division of Medical  
20 Quality of the Board of Medical Quality Assurance may issue a  
21 decision upon this stipulation whereby:

22 1. Physician's and surgeon's certificate number C-038823  
23 heretofore issued to respondent Charu Mati Rana is hereby revoked  
24 provided, however, that said revocation is stayed and respondent  
25 is placed on probation for a period of three (3) years upon the  
26 following terms and conditions:

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3.

1 A. Respondent shall take and complete a course in  
2 medical ethics. Within 60 days of the effective date of  
3 this decision, respondent shall select and submit a  
4 course to the division for its prior approval.

5 B. Within 90 days of the effective date of this  
6 decision, and on an annual basis thereafter, respondent  
7 shall submit to the division for its prior approval an  
8 educational program or course related to general  
9 practice, which shall not be less than <sup>25 gmH</sup> ~~40~~ hours per year  
10 of probation. This program shall be in addition to the  
11 Continuing Medical Education requirements for  
12 re-licensure. Following the completion of each course,  
13 the division or its designee may administer an  
14 examination to test respondent's knowledge of the  
15 course. Respondent shall provide proof of attendance  
16 for <sup>50 gmH</sup> ~~65~~ hours of continuing medical education of which <sup>25 gmH</sup> ~~40~~  
17 <sup>LP</sup> hours were in satisfaction of this condition and were  
18 approved in advance by the division.

19 C. Respondent shall obey all federal, state, and  
20 local laws, and all rules governing the practice of  
21 medicine in California.

22 D. Respondent shall submit quarterly declarations  
23 under penalty of perjury on forms provided by the  
24 Division, stating whether there has been compliance with  
25 all the conditions of probation.

26 E. Respondent shall comply with the Division's  
27 probation surveillance program.

1 F. Respondent shall appear in person for  
2 interviews with the Division's medical consultant upon  
3 request at various intervals and within reasonable  
4 notice.

5 G. The period of probation shall not run during  
6 the time respondent is residing or practicing outside  
7 the jurisdiction of California. If, during probation,  
8 respondent moves out of the jurisdiction of California  
9 to reside or practice elsewhere, respondent is required  
10 to immediately notify the division in writing of the  
11 date of departure, and the date of return, if any.

12 H. If respondent violates probation in any  
13 respect, the Division, after giving respondent notice  
14 and the opportunity to be heard, may revoke probation  
15 and carry out the disciplinary order that was stayed.  
16 If an accusation or petition to revoke probation is  
17 filed against respondent during probation, the division  
18 shall have continuing jurisdiction until the matter is  
19 final, and the period of probation shall be extended  
20 until the matter is final.

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1 I. Upon successful completion of probation,  
2 respondent's certificate will be fully restored.

3 JOHN K. VAN DE KAMP, Attorney General  
4 of the State of California  
5 GAIL M. HEPPELL,  
6 Deputy Attorney General

7 DATED: Jan 16, 1987.

Gail M. Heppell

GAIL M. HEPPELL

Deputy Attorney General

Attorneys for Complainant

10  
11 DATED: Jan 16, 1987

Gregory Nelson

GREGORY NELSON  
Attorney for respondent

14 \* \* \* \*

15 I have read this stipulation, decision and order. I  
16 understand I have the right to a hearing on the charges contained  
17 in the accusation, the right to cross-examine witnesses, and the  
18 right to introduce evidence in mitigation. I have thoroughly  
19 discussed the charges contained in the accusation with my counsel,  
20 my rights to hearing and defense, and the meaning and consequences  
21 of this stipulation. I knowingly and intelligently waive these  
22 rights and agree to be bound by the terms of the stipulation,  
23 decision and order.

24 DATED: 1/18/87.

Charu Mati Rana, M.D.  
26 CHARU MATI RANA, M.D.  
27 Respondent

1 JOHN K. VAN DE KAMP, Attorney General  
of the State of California  
2 GAIL M. HEPPELL,  
Deputy Attorney General  
3 3580 Wilshire Boulevard  
Los Angeles, California 90010  
4 Telephone: (213) 736-2012

5 Attorneys for Complainant  
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8 BEFORE THE  
9 BOARD OF MEDICAL QUALITY ASSURANCE  
DEPARTMENT OF CONSUMER AFFAIRS  
10 STATE OF CALIFORNIA

11 In the Matter of the Accusation	)	NO. <u>D-3499</u>
Against:	)	
	)	ACCUSATION
	)	
13 CHARU MATI RANA, M.D.	)	
166 N. Moorpark Road	)	
14 Thousand Oaks, CA 91360	)	
Physician's and Surgeon's	)	
15 Certificate No. C-038823,	)	
	)	
16 Respondent.	)	
	)	

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17  
18 Complainant alleges as follows:

19 1. Complainant, Kenneth J. Wagstaff, is the  
20 Executive Director of the Board of Medical Quality Assurance  
21 of the State of California (hereinafter "board") and makes  
22 and files this accusation solely in his official capacity.

23 2. On or about August 3, 1969, the board  
24 issued to Charu Mati Rana, M.D., (hereinafter "respondent")  
25 physician's and surgeon's certificate No. C038823.  
26 Said certificate is now and was at all times mentioned  
27 herein, in full force and effect.



1           3. Sections 2220 and 2234 of the Business and  
2 Professions Code (hereinafter "code") together provide,  
3 in pertinent part, that the board may take disciplinary  
4 action against the holder of a physician's and surgeon's  
5 certificate who is guilty of unprofessional conduct.

6           4. Section 2234, subdivision (a) of the code  
7 provides that violating or attempting to violate,  
8 directly or indirectly, or assisting in or abetting in  
9 the violation of, or conspiring to violate, any provisions  
10 of the Medical practice Act constitutes unprofessional  
11 conduct.

12           5. Section 2234, subdivision (e) of the code  
13 provides that the commission of any act involving dishonesty  
14 or corruption which is substantially related to the  
15 qualifications, functions or duties of a physician and  
16 surgeon constitute unprofessional conduct.

17           6. Section 810, subdivision (a) of the code  
18 provides that it constitutes unprofessional conduct and  
19 grounds for disciplinary action for a health care  
20 professional to do any of the following in connection  
21 with his professional activities:

22               "(1) Knowingly present or cause to be  
23 presented any false or fraudulent claim for  
24 payment of a loss under a contract of insurance

25               "(2) Knowingly prepare, make or subscribe  
26 any writing, with intent to present or use the

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1 same, or to allow it to be presented or used in  
2 support of any such claim."

3 7. Respondent is subject to disciplinary action  
4 in that she has violated sections 2234(a) and (e)  
5 and 810(a) of the code as follows:

6 A. On or about April 4, 1984, respondent  
7 submitted a claim to the Hawaii Medical Service  
8 Association, (a private medical insurance carrier  
9 which is the fiscal intermediary for the Hawaii  
10 Medicaid Program) for payment of \$695. The basis  
11 of said claim was that respondent had rendered medical  
12 treatment to an insured patient (Chen G) while he was  
13 visiting California on five occasions between  
14 December 23, 1983 and January 10, 1984.

15 B. Respondent treated said patient in Hawaii not  
16 California. At one time respondent rendered treatment.  
17 She was not licensed to practice medicine in the  
18 State of Hawaii.

19 WHEREFORE, complainant prays that the division hold a  
20 hearing on the matters alleged herein, and following said  
21 hearing, issue an order:

22 1. Suspending and revoking physician's and  
23 surgeon's certificate number C-038823 heretofore issued to  
24 respondent; and

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3.

1 2. Taking such other and further action as it deems  
2 proper.

3 DATED: May 16, 1986 .

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6   
7 KENNETH J. WAGSTAFF  
8 Executive Director  
9 Board of Medical Quality Assurance  
10 State of California

11 Complainant  
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